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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/721,790	11/22/2000	Charles R. Simmers	113622-150366	3981

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EXAMINER
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LEWIS, DAVID LEE

ART UNIT	PAPER NUMBER
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2629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/721,790

Applicant(s)

SIMMERS, CHARLES R.

Examiner

David L. Lewis

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- 1. Claims 1, 5, 7-9, 12-22, and 24-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Nomura et al. (5881299).**

**As in claim 1, Nomura et al. teaches of in an information device, figures 1-4, 7, and 8, having a CPU, figure 1 item 10,**

**display controller and a display panel, figure 1 items 14 and 18,**

**said display panel split logically into sub-panels, figure 1 items Area1 and Area2,**

**an apparatus comprising: a plurality of segment drivers coupled between said display panel and said display controller, said segment drivers receiving input data from said controller, figure 1 items 18,**

said segment drivers translating said data into pixels displayable on said display panel, **figure 1 items Area2 and Areal;**

and a power control block coupled to said CPU and to said segment drivers to disable a first power source which powers down a first set of said segment drivers, **figure 1 items 20 and 22,**

said powering down disabling a first set of sub-panels of said display panel from outputting pixels, **figure 1 area 2,**

said power control block disabling said first power source upon receiving a command from said CPU that said first set of sub-panels are to be powered down, **figure 1 items 20 and 10,**

said information device functioning as one of a cellular communications device, figure 1 item 28, and a personal digital assistant, **figure 1 item 12, figure 4 items area 1 and area 2, column 5 lines 20-25 and 63-64,**

said first set of sub-panels displaying information relevant to said personal digital assistant function, **figure 4 item area 2,**

further wherein said display panel includes a second set of sub-panels displaying information relevant to said cellular communications function, **figure 4 item area 1,**

wherein said first and second sets of sub-panels comprise an identical vertical resolution, **figure 8 item 105b.**

Wherein Normura et al. teaches of a cellular communications device as well known and evidenced by **figure 1 item 28 and figure 3 item 29**, illustrating a communication device and antenna. Further Normura et al., teaches of a personal digital assistant as well known and evidenced by, **figure 4 item area 2,** a telephone book feature for storing names and numbers, **column 5 lines 60-65,** and stylus input means, **column 5 lines 20-25.**

**As in claim 5, Nomura et al. teaches of in an information device, figure 8,**

having a CPU, **figure 8 item 100,**

display controller, **figure 8 item 101,**

and two display panels, **figure 8 items Areal and Area2,**

an apparatus comprising: a first set of segment drivers coupled to said display controller to receive as input a first set of data, said first set of segment drivers translating said first set of data into pixels output on a first of said display panels, **figure 8 items 105b and 105c;**

a second set of segment drivers coupled to said display controller and said first set of segment drivers to receive a second set of data, said second set of segment drivers translating said second set of data into pixels output on a second of said display panels, **figure 8 items 105b and 105d;**

and a power control block coupled to said CPU and to said first and second set of segment drivers to disable a first power source which powers down said second set of segment drivers, said powering down disabling said second display panel from outputting pixels, said information device functioning as one of a cellular communications device and a personal digital assistant, said second display panel displaying information relative to said personal digital assistant function, further wherein said first display panel displaying information relevant to said cellular communications function, **figure 8 items 101 and 106**, wherein the controller 101 coupled to the CPU 100 inputs power from the power supply 106, and controls input power for drivers 105, turning on/off the power supply of the liquid crystal under the control of the CPU, **column 7 lines 10-15, column 8 lines 10-67,**

wherein said first and second sets of sub-panels comprise an identical vertical resolution, figure 8 item 105b.

**As in claim 7, Nomura et al. teaches of an information device having a single display panel logically split into a first and second sub-panel, figure 3 items Areal and Area2,**

said device comprising: a top shell including a top inner shell and a top outer shell, said top outer shell on the opposing side of said top inner shell, said top inner shell containing said display panel, **figure 3 items 30 (outer) and 31 (inner);**

a joint coupled to said top shell for folding said device, **figure 3 item 30** display cover hinge connecting items 30 and 31, not fully illustrated but said joint inherent;

and a bottom shell coupled to said top shell through said joint, said bottom shell including a bottom inner shell and a bottom outer shell, said bottom outer shell on the opposing side of said bottom inner shell, said bottom shell having an open area, **figure 3 items Areal and Area2,**

wherein said open area leaves visible said first sub-panel and hides said second sub-panel when said device is closed about said joint, wherein when said device is closed, a first power signal is disabled to power down said second subpanel and a second power signal is enabled to power said first sub-panel, said information device functioning as one of a cellular communications device and a personal digital assistant, said second sub-panel displaying information relevant to said personal digital assistant function, and said first subpanel displaying information relevant to said cellular communications function, **figure 3 items 18, 26, 30, and 31, column 5 lines 6-31,**

wherein said first and second sub-panels comprise an identical vertical resolution, figure 8 item 105b.

**As in claims 8 and 9, Nomura teaches of said open and functioning states, figure 3, column 5 lines 10-50, column 6 lines 14-31, wherein said first and second display panels comprise an identical vertical resolution, figure 8 item 105b.**

**As in claim 12, Nomura teaches of an apparatus comprising: a wireless communication module, figure 1 item 28;**



a computing module, **figure 1 item 10**;

a display, wherein the display is adapted to display information related to the wireless communication module and the computing module, **figure 1 item 18**;

and a display controller adapted to disable a first portion of the display and enable a second portion of the display, **figure 1 item 20**,

wherein said first and second portions of the display comprise an identical vertical resolution, **figure 8 item 105b**.

**Further as in claim 13**, Nomura teaches wherein the first portion of the display is adapted to display information related to the wireless communication module, figure 3, column 6 lines 14-60.

**As in claim 14**, Nomura teaches wherein the second portion of the display is adapted to display information related to the computing module, figure 3, column 6 lines 14-60.

**As in claim 15**, Nomura teaches wherein the first portion is adapted to display information related only to the wireless communication module, figure 3, column 6 lines 14-60.

**As in claim 16**, Nomura teaches wherein the computing module is adapted to operate as a personal digital assistant, figure 12.

**As in claim 17**, Nomura teaches further comprising at least two segment drivers coupled to the display and the controller, figure 1.

**As in claim 18**, Nomura teaches wherein the display controller is adapted to disable the first portion of the display while the second portion of the display is enabled, figure 3, column 6 lines 1460.

**As in claim 19**, Noruma teaches of an apparatus comprising: a display controller adapted to disable a first portion of a display while enabling a second portion of a display, the first portion of the display adapted to display information from a wireless communication device and the second portion of the display adapted to display information from a personal digital assistant, **figure 1 item 20, column 5 lines 10-50**,

wherein said first and second portions of the diplay comprise an identical vertical resolution, **figure 8 item 105b**.

**As in claim 20**, Noruma teaches said display enable/disablement, column 4 lines 25-55, column 6 lines 14-60.

**As in claim 21**, Noruma teaches at least two segment drivers, figure 1.

**As in claim 22**, Noruma teaches first and second contiguous portions, figure 1 and 3.

**As in claim 24**, Noruma teaches of a method comprising: displaying information related to a wireless communication device on a first portion. of a display, **column 3 lines 47-59, column 4 lines 40-55;**

disabling the first portion of the display, **column 4 lines 17-55;**

and displaying information related to a personal digital assistant on a second portion of the display, **column 4 lines 17-55, column 5 lines 10-50,**

wherein said first and second portions of the display comprise an identical vertical resolution, figure 8 item 105b.

**Further as in claim 25**, Noruma teaches of disable/enablement simultaneously, column 4 lines 5-55, column 6 lines 40-45.

**As in claim 26**, Noruma teaches of displaying wireless communication information, column 5 lines 49-67.

**As in claim 27**, Noruma teaches of simultaneous wireless and digital information, column 5 lines 49-67.

**As in claim 28**, Noruma teaches of an article comprising: a storage medium having stored thereon instructions that when executed by a computing platform results in displaying information on a first portion of a display, wherein the information is related to a wireless communication module, **column 7 lines 1-10;**

displaying information on a second portion of a display, wherein the information is related to an application program running on the computing platform, **column 7 lines 1-20;**

and disabling the first portion of the display while displaying information on the second portion of the display, **column 7 lines 1-20, figure 3,**

wherein said first and second portions of the display comprise an identical vertical resolution, **figure 8 item 105b.**

**Further as in claim 29**, Noruma teaches of instructions disabling display, column 7 lines 1-20.

**As in claim 30**, Noruma teaches of disabling a first and second segment driver, column 7 lines 1-30.

**As in claim 31**, Noruma teaches of disabling a second portion while displaying a first portion, column 7 lines 1-20.

**As in claim 32**, Noruma teaches of simultaneously displaying on a first and second portion, column 7 lines 1-20.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 2-4, 6, 10, 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nomura et al. (5881299) in view of Britz (5414444) and Imai et al. (Des377341).**

**As in claims 10 and 23, Nomura et al. teaches of an information device as applied above to claims 1, 5, and 7, and as amended wherein the first and second portions of the display comprise an identical vertical resolution, figure 8 item 105b, however Nomura et al. does not explicitly teach of having two separate display panels, each display panel on separate physical planes.**

However this distinction would be an obvious design choice in view of Nomura's teaching of a first display and second display area which are independently driven, each area being structurally different, wherein a second area is formed of 160x239 pixels and the first area is formed by 1x8 pixels, said first area comprised of 8 physically larger pixels than the second area and not of a matrix type, said first and second displays controlled to conserve power. Given the design structural differences and their independently driven construction, it would be an obvious design choice provide said displays on separate physical planes, to accommodate their pixel structural differences. Imai et al. obviously teaches of a well known variation of the device as taught by Britz, wherein Britz teaches of a first display figure 1 item 101, figure 6 item 101 and a second display, figure 2 item 121, figure 6 item 121, such that it would have been obvious to power save by disabling the portions of the second display area not in use while operating the device in the communication mode, as taught by Britz, and obviously modified by Imai et al., wherein the top portion of the multimedia display as

taught by Imai et al., would not need to function during said communication mode.

Therefore Britz teaches the need for two displays operating on separate physical planes, wherein during a communication mode, a portion of the multimedia display 121 corresponding to the communication mode display 101 would not need to be in use, given that display 101 would be functioning, further wherein as modified by Imai et al., an additional portion of multimedia display, positioned above the corresponding communication display, or in other words, the top portion of the multimedia display, would not need to be functioning while in the communication mode, as taught by Noruma et al, as found in claims 10 and 23.

**Further as in claims 2**, Noruma teaches of obviously teaches of said second power source which powers down a second set of said segment driver, figure 1, column 3 lines 46-59, column 4 lines 5-46, and column 7 lines 29-36.

**As claim 3**, Noruma obviously teaches of independent switching, column 7 lines 1-45.

**As in claim 4**, Noruma obviously teaches of a normally open latch/switch, column 4 lines 35-47, column 5 lines 10-25, column 6 lines 1-45.

**As in claim 6**, Noruma obviously teaches of said second power source which powers down said first set of segment drivers, figure 1, column 3 lines 46-59, column 4 lines 5-46, and column 7 lines 29-36.

**As in claim 11**, Nomura teaches of powering said first and second display, column 7 lines 1-30.

### ***Reissue Applications***

3. The reissue oath/declaration filed with this application is defective because the error which is relied upon to support the reissue application is not an error upon



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which a reissue can be based. See 37 CFR 1.175(a)(1) and MPEP § 1414.

Note: The error set forth in the originally filed declaration is no longer applicable to the claims in their current state.

4. Claims 1-32 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175. The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.
5. The amendment filed 6/23/2005 proposes amendments to claims, 5 and 12-32 that do not comply with 37 CFR 1.173(b), which sets forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is required. ~~A shortened statutory period for reply to this letter is set to expire ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this letter.~~ *Var 8 7/27/07* Claim 5 amendment is not proper where double-bracketing is shown for deletions. Claims 12-32 must be noted as "new" and must be underlined in entirety.
6. This application is objected to under 37 CFR 1.172(a) as lacking the written consent of all assignees owning an undivided interest in the patent. The consent of the assignee must be in compliance with 37 CFR 1.172. See MPEP §

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1410.01. A proper assent of the assignee in compliance with 37 CFR 1.172 and 3.73 is required in reply to this Office action.

### ***Response to Arguments***

7. Applicant's arguments filed 6/23/2005 have been fully considered but they are not persuasive. Nomura et al. teaches of a display having a first and second display areas (Area1 and Area2), wherein both areas are driven by the same segment driver, figure 1 item 105b, and therefore said first and second portions of the display comprise an identical vertical resolution, based on said segment driver structure.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David L Lewis whose telephone number is 703 306-3026. The examiner can normally be reached on M, T, TH, F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for Technology Center 2600 only)

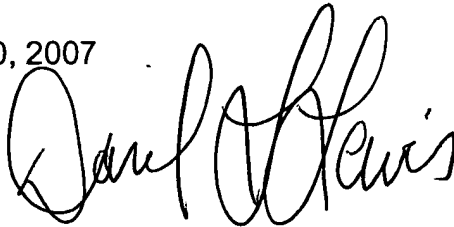
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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

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February 20, 2007

A handwritten signature in black ink, appearing to read "Paul Davis". The signature is written in a cursive, flowing style with large, connected letters.